

1 LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

2 JEFFREY W. LAWRENCE (166806)  
CHRISTOPHER P. SEEFER (201197)

3 SHIRLEY H. HUANG (206854)

100 Pine Street, Suite 2600

4 San Francisco, CA 94111

Telephone: 415/288-4545

5 415/288-4534 (fax)

JeffreyL@lerachlaw.com

6 ChrisS@lerachlaw.com

ShirleyH@lerachlaw.com

7 – and –

WILLIAM S. LERACH (68581)

8 655 West Broadway, Suite 1900

San Diego, CA 92101

9 Telephone: 619/231-1058

619/231-7423 (fax)

10 BillL@lerachlaw.com

11 Lead Counsel for Plaintiffs

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 OAKLAND DIVISION

15 In re U.S. AGGREGATES, INC. SECURITIES ) Master File No. C-01-1688-CW  
LITIGATION )

16 ) CLASS ACTION

17 This Document Relates To: ) STIPULATION AND ORDER  
VACATING STATUS CONFERENCE IN  
18 ALL ACTIONS. ) LIGHT OF STIPULATION OF  
SETTLEMENT

1 The parties, through counsel, hereby stipulate that in light of the stipulation of settlement and  
2 motion of preliminary approval of settlement filed on November 17, 2005, the further case  
3 management conference set for November 18, 2005, at 1:30 p.m., should be vacated.

4 DATED: November 17, 2005

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
JEFFREY W. LAWRENCE  
CHRISTOPHER P. SEEFER  
SHIRLEY H. HUANG

8 /s/

JEFFREY W. LAWRENCE

100 Pine Street, Suite 2600  
San Francisco, CA 94111  
Telephone: 415/288-4545  
415/288-4534 (fax)

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
WILLIAM S. LERACH  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

Lead Counsel for Plaintiffs

17 DATED: November 17, 2005

HELLER EHRMAN LLP  
MICHAEL L. CHARLSON  
DEBORAH KRAVITZ

20 /s/

MICHAEL L. CHARLSON

275 Middlefield Road  
Menlo Park, CA 904025  
Telephone: 650/324-7000  
650/324-0638 (fax)

Attorneys for Defendant James Harris

1 DATED: November 17, 2005

JEFFER, MANGELS, BUTLER  
& MARMARO LLP  
JULIA J. RIDER

4 \_\_\_\_\_  
/s/

JULIA J. RIDER

1900 Avenue of the Stars, 7th Floor  
Los Angeles, CA 90067-4308  
Telephone: 310/203-8080  
310/203-0567 (fax)

Attorneys for Defendant Michael Stone

I, Jeffrey W. Lawrence, am the ECF User whose ID and password are being used to file this Stipulation Vacating Status Conference in Light of Stipulation of Settlement. In compliance with General Order 45, S.B., I hereby attest that Michael L. Charlson and Julia J. Rider have concurred in this filing.

\* \* \*

**ORDER**

Pursuant to the Stipulation, IT IS SO ORDERED.

DATED: 11/17/05 \_

/S/ CLAUDIA WILKEN

\_\_\_\_\_  
THE HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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DECLARATION OF SERVICE BY FACSIMILE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on November 17, 2005, declarant served by facsimile the **STIPULATION AND ORDER VACATING STATUS CONFERENCE IN LIGHT OF STIPULATION OF SETTLEMENT** to the parties listed on the attached Service List.

3. That there is a regular communication by facsimile between the place of origin and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of November, 2005, at San Francisco, California.

/s/

CAROLYN BURR